

## **REMARKS**

Claims 1-10 are pending in the present application. Claim 1 has been amended herewith. Reconsideration of the claims is respectfully requested.

Amendments were made to the specification to include requested serial numbers of related applications. No new matter has been added by any of the amendments to the specification.

Also, Applicants have submitted a formal set of drawings.

### **I. 35 U.S.C. § 102, Anticipation**

The Examiner rejected Claims 1-10 under 35 U.S.C. § 102 as being anticipated by Voigt et al. (Pat. No. 5,960,451]. This rejection is respectfully traversed.

With respect to Claim 1, such claim has been amended to clarify the claimed virtual data units as being distinguishable from the logical storage unit (LUN) that is taught by the cited reference. As can be seen by Applicants' FIG. 3, virtual device structures are mapped into logical device definitions, such logical device definitions defining logical devices such as the logical storage unit as taught by Vaughn. Thus, the claimed virtual data units are an abstraction layer above a logical device (as they are mapped into logical device definitions), and are therefore different from a logical device/logical storage unit as taught by Vaughn. Providing this data abstraction layer above a logical device advantageously provides an additional layer from which the details of the underlying hardware are removed from the application, to thereby support definitions of data storage requirements at the data level instead of the device level (Specification page 16, lines 26 – page 18, line 13). This, in turn, allows anticipation of future storage requirements by matching the definition associated with a data unit to a logical device definition with expanded capabilities (Specification page 18, lines 14-26). The cited reference neither teaches these claimed features or the resulting advantages. Therefore, amended Claim 1 is shown to not be anticipated by the cited reference.

Applicants traverse the rejection of Claims 2-10 for similar reasons to those given above regarding Claim 1, of which Claims 2-10 ultimately depend upon.

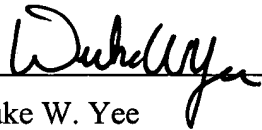
Therefore, the rejection of Claims 1-10 under 35 U.S.C. § 102 has been overcome.

**II. Conclusion**

It is respectfully urged that the subject application is patentable over the cited reference and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 10/27/03

Respectfully submitted,

  
\_\_\_\_\_

Duke W. Yee  
Reg. No. 34,285

Wayne P. Bailey  
Reg. No. 34,289  
Carstens, Yee & Cahoon, LLP  
P.O. Box 802334  
Dallas, TX 75380  
(972) 367-2001  
Attorneys for Applicants